REMARKS

This is in full and timely response to the non-final Office Action mailed on June 13, 2005. Reexamination in light of the following remarks is respectfully requested.

Claims 25-37 are currently pending in this application, with claims 25, 36 and 37 being independent. *No new matter has been added.*

Information Disclosure Statement

Paragraph 1 of the Office Action contends that the Information Disclosure Statement fails to comply with 37 C.F.R. §1.98(a) (2) because the foreign references are allegedly missing.

In response to this contention, M.P.E.P. §609.02(A)(2) provides that the Examiner *will consider* information which has been considered by the Office in a parent application when examining a continuation application filed under 37 C.F.R. §1.53(b).

In this regard, the references alleged in the Office Action to have been missing were considered by the Office in U.S. Patent Application No. 09/457,591, which is the parent application for the present application.

A copy of the Information Disclosure Statement By Applicant (PTO/SB/08) is provided along with this response for acknowledgment by of the references cited therein.

Double patenting rejection

Paragraph 3 of the Office Action includes a rejection of claims 25-37 under the judicially created doctrine of obviousness double patenting as allegedly being unpatentable over claims 1-2, 5 and 7-12 of U.S. Patent No. 6,763,334.

As noted within paragraph 2 of the Office Action, a Terminal Disclaimer may be used to overcome a rejection of the claims under the judicially created doctrine of obviousness double patenting.

In this regard, please hold in abeyance the requirement for a Terminal Disclaimer until all other rejections under prior art have been addressed, and that the Examiner reevaluate the requirement for a Terminal Disclaimer at that time.

Rejection under 35 U.S.C. §112, second paragraph

Paragraph 5 of the Office Action includes a rejection of claim 37 under 35 U.S.C. §112, second paragraph.

While not conceding the propriety of this rejection and in order to advance the prosecution of the above-identified application, claim 37 has been amended in the manner requested.

Withdrawal of this rejection and allowance of the claims is respectfully requested.

Rejection under 35 U.S.C. §103

Paragraph 7 of the Office Action includes a rejection of claims 25-37 under 35 U.S.C. §103 as allegedly being obvious over U.S. Patent No. 5,848,396 to Gerace in view of U.S. Patent No. 5,949,419 to Domine et al. (Domine).

This rejection is traversed at least for the following reasons.

Claim 25 - Claims 26-35 are dependent upon claim 25. Claim 25 is drawn to a system of arranging the delivery of advertisements over a network, an agent managing said system, said system having an agent's server (10) that comprises:

a response measurement module (60) (Figure 1), said response measurement module (60) counting the number of specific responses made at a web site of an advertiser through an ad space (201) of a network medium; and

an administration module (70) (Figure 1), said administration module (70) making a statistical report (86) for analysis of the counted responses and delivering said statistical report through said agent's server (10) to the advertiser so that the

advertiser can estimate the effectiveness of an advertisement on said network (Figure 7),

wherein said web site includes (Figure 1)

an entrance page (101) which is linked from said ad space (201),

an action page (102) which is linked from the entrance page (101) and where a user of said network may proceed to make at least one specific action of defined responses to be made by the user as a consequence of the advertisement on said network, and

an action process module (110) which responds to said specific action for processing the same,

wherein said administration module (70) produces said statistical report (86) (specification at Figure 7, and page 18 line 28 to page 19, line 2) listing

a page access number that is the number of the accesses to the entrance page (101) of said web site during a predetermined period of time (specification page 17, lines 15-16),

an action access number that is the number of accesses to said action page (102) (specification page 17, lines 17-18), and

a result number that is the number of actions made in response to an action object for necessitating processing at said action process module (110) (specification at Figure 2, and page 17, lines 19-20),

wherein said statistical report (86) includes

a proceeder rate, which is the ratio of the action access number to said page access number (specification page 17, lines 22-23), and

a completer rate, which is the ratio of the result number to said page access
number (specification page 17, lines 24-25).

Claim 36 is drawn to a system of arranging the delivery of advertisements over a
network, an agent managing said system, said system having an agent's server (10) that
comprises:

a response measurement module (60), said response measurement module (60)
counting the number of specific responses made at a web site of an advertiser through
an ad space (201) of a network medium; and

an administration module (70), said administration module (70) making a statistical
report for analysis of the counted responses and delivering said statistical report
through said agent's server (10) to the advertiser so that the advertiser can estimate
the effectiveness of an advertisement on said network,

wherein said web site includes

an entrance page (101) which is linked from said ad space (201),

an action page (102) which is linked from the entrance page (101) and where a
user of said network may proceed to make at least one specific action of defined
responses to be made by the user as a consequence of the advertisement on said
network, and

an action process module (110) which responds to said specific action for
processing the same,

wherein said administration module (70) produces said statistical report listing

a page access number that is the number of the accesses to the entrance page
(101) of said web site during a predetermined period of time,

an action access number that is the number of accesses to said action page (102), and

a result number that is the number of the access to said action process module (110),

wherein said statistical report (86) includes

a proceeder rate, which is the ratio of the action access number to said page access number, and

a completer rate, which is the ratio of the result number to said page access number.

Claim 37 is drawn to a method of arranging the delivery of advertisements over a network, said method comprising the steps of:

counting the number of specific responses made at a web site of an advertiser through an ad space (201) of a network medium; and

making a statistical report for analysis of the counted responses and delivering said statistical report through said agent's server (10) to the advertiser so that the advertiser can estimate the effectiveness of an advertisement on said network,

wherein said web site includes

an entrance page (101) that is linked from said ad space (201),

an action page (102) that is linked from the entrance page (101) and where a user of said network may proceed to make at least one specific action of defined responses to be made by the user as a consequence of the advertisement on said network, and

an action process module (110) which responds to said specific action for processing the same,

wherein said administration module (70) produces a statistical report listing

a page access number that is the number of the accesses to the entrance page (101) of said web site during a predetermined period of time,

an action access number that is the number of accesses to said action page (102), and

a result number that is the number of actions made in response to an action object for necessitating processing at said action process module (110);

wherein said statistical report includes

a proceeder rate, which is the ratio of the action access number to said page access number, and

a completer rate, which is the ratio of the result number to said page access number.

Regarding Gerace, the Office Action admits that the claimed *page access number* and the claimed *proceeder rate* are *absent* from within Gerace (Office Action at page 5).

In this regard, Gerace arguably teaches that each time a user logs on to program 31, User Session Object 37d records the starting date and time and ending date and time of the session (Gerace at column 6, lines 46-48). However, this is not equal to the page access number of the present invention.

The claims provide that a *proceeder rate*, which is the ratio of the action access number to said page access number, and a *completer rate*, which is the ratio of the result number to said page access number.

Because the claimed statistical report includes a *proceeder rate*, and because the Office Action admits that the claimed *proceeder rate* is *absent* from within Gerace, the Office Action *fails to show* that the claimed *proceeder rate* is found within Gerace.

Likewise, because the claimed statistical report includes a *completer rate*, which is the ratio of the result number to the *page access number*, and because the Office Action admits that the claimed *page access number* is absent from within Gerace, the Office Action *fails to show* that the claimed *completer rate* is found within Gerace.

As described above, since Gerace fails to disclose, teach, or suggest the page access number, the proceeder rate and the completer rate cannot be determined in Gerace. Thus, Office Action has *failed to show* that the claimed statistical report is found within Gerace.

Domine arguably teaches a web browser detection and default home page modification device.

Nevertheless, the Office Action has *failed* to show that a *page access number* is found within Domine.

Moreover, the Office Action has also *failed* to show that the *action access number* is found within Domine.

In addition, the Office Action has also failed to show that the result number is found within Domine.

In this regard, Domine merely provides that traffic is important to the success of a web site. Therefore, even when Gerace is combined with the Domine, the proceeder rate and the completer rate cannot be still determined from the combination thereof.

Thus, Office Action has *failed to show* that the claimed statistical report is found within Domine.

As shown hereinabove, Gerace and Domine, either individually or as a whole, fail to disclose, teach, or suggest the all features of the claimed invention.

Withdrawal of this rejection an allowance of the claims is respectfully requested.

Conclusion

For the foregoing reasons, all the claims now pending in the present application are allowable, and the present application is in condition for allowance. Accordingly, favorable reexamination and reconsideration of the application in light of the amendments and remarks is courteously solicited.

If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone Brian K. Dutton, Reg. No. 47,255, at 202-955-8753.

If any fee is required or any overpayment made, the Commissioner is hereby authorized to charge the fee or credit the overpayment to Deposit Account # 18-0013.

Dated: October 21, 2005   Respectfully submitted,

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